

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-13 remain in the application. No claim amendments are submitted herewith.

We now turn to the art rejection, in which the claims were rejected as being anticipated by Sano et al. (US 2004/0109419 A1) under 35 U.S.C. § 102 and/or as being obvious over various modifications of Sano et al. under 35 U.S.C. § 103. Each of the rejections includes Sano et al. as the sole reference or as a primary reference.

Sano et al. was published on June 10, 2004. This is more than two (2) years after the filing date of the instant application, namely, February 4, 2002. 35 U.S.C. § 363. The PCT filing date of Sano et al., October 17, 2001, should not be confused as a § 102(e) date. It is likely that the Japanese priority application of Sano et al., JP 2000-324032 was published sometime in April or May 2002. The Examiner is requested to confirm this.

Enclosed herewith is a certified translation of applicants' priority application DE 101 05 733, filed in the German Patent Office on February 8, 2001. The certified priority document was submitted together with a paper entitled *Claim for Priority*, dated September 23, 2003. Applicants' claim for priority is now perfected and only prior art references with an effective prior art date prior to February 8, 2001 are available against the instant application.

In view of the foregoing, reconsideration and the allowance of the claims are solicited.

Respectfully submitted,



For Applicants

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